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A BY-LAW
TO
REGULATE THE PROCEEDINGS
IN THE
Municipal Council
OF THE
CORPORATION OF THE CITY OF TORONTO
AND THE
COMMITTEES THEREOF.

PASSED 26th NOVEMBER, 1869.



TORONTO:
HENRY ROWSELL
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No. 504.

A By-law to regulate the proceedings in the Municipal Council of the Corporation of the City of Toronto and the Committees thereof.

PASSED 26TH NOVEMBER, 1869.

WHEREAS it is expedient to amend the By-law now in force, to regulate the proceedings in Municipal Council, and in Committees of the Municipal Council of the Corporation of the City of Toronto :

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows :

MEETINGS AND ADJOURNMENTS OF COUNCIL.

1. That in all the proceedings had or taken in the Municipal Council of the Corporation of the City of Toronto, the following rules and regulations shall be observed and shall be the rules and regulations for the order and despatch of business in the said Council, and of the Committees of the said Council, and from and after the passing of this By-law, By-law number three hundred and seventy-eight, and all former rules and regulations shall be repealed.

This By-law to govern proceedings in Council.

By-law No. 373, and all former rules repealed.

2. That the said Council shall meet every Monday in the year, at the hour of seven o'clock, unless otherwise ordered by special motion, or unless such Monday shall be a public holiday, according to law, when the Council shall meet at the same hour on the next following day, which shall not be such public holiday.

Meetings of the Council.

3. That unless there shall be a quorum present in half an hour after the time appointed for the meeting of Council, the Council shall then stand absolutely adjourned until the next day of meeting, and the Clerk shall, if required by two members, take down the names of the members present

If there is no quorum in half an hour after the time appointed for a meeting, the Council shall stand adjourned till the next day of meeting.

at the expiration of such half hour, and shall publish the names of the absent members in one or more of the City daily papers of the following day.

Council to adjourn at eleven o'clock.

4. That the Council shall always adjourn at the hour of eleven o'clock, P. M., if in session at that hour, unless otherwise determined by a vote of two-thirds of the members present.

Members to keep their places until the Mayor leaves the chair.

5. That the members of the Council shall not leave their places, on adjournment, until the Mayor or other Presiding Officer, leaves the chair.

ORDER OF PROCEEDINGS IN COUNCIL.

The Mayor to take the chair when a quorum is present.

6. That as soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the chair, and the members shall be called to order.

In the absence of the Mayor the Clerk to call the meeting to order.

7. That in case the Mayor shall not be in attendance, the Clerk shall call the meeting to order, until a Chairman shall be chosen, who shall preside until the arrival of the Mayor.

An Alderman to preside in the absence of the Mayor.

8. That in the absence of the Mayor, one of the Aldermen present shall be chosen to preside, and shall take the chair and preside during the absence of the Mayor, and at the meeting only at which he has been so chosen.

Minutes to be read by the Clerk.

9. That immediately after the Mayor or other Presiding Officer shall have taken his seat, the minutes of the preceding meeting shall be read by the Clerk, in order that any mistake therein may be corrected by the Council.

The Mayor to preserve order and decide questions of order.

10. That the Mayor or other Presiding Officer, shall preserve order and decorum, and decide questions of order, subject to an appeal to the Council.

The Mayor in deciding a point of order to state the rule applicable to the case.

11. That when the Mayor or other Presiding Officer is called on to decide a point of order or practice, he shall state the rule or authority applicable to the case without argument or comment.

12. The names of the absent members in one or more of the City daily papers of the following day.

13. The Council shall always adjourn at the hour of eleven o'clock, P. M., if in session at that hour, unless otherwise determined by a vote of two-thirds of the members present.

14. The members of the Council shall not leave their places, on adjournment, until the Mayor or other Presiding Officer, leaves the chair.

15. The Mayor shall take the chair when a quorum is present.

16. The Clerk shall call the meeting to order, until a Chairman shall be chosen, who shall preside until the arrival of the Mayor.

17. The Mayor or other Presiding Officer shall preserve order and decorum, and decide questions of order, subject to an appeal to the Council.

18. The Mayor or other Presiding Officer, shall preserve order and decorum, and decide questions of order, subject to an appeal to the Council.

19. The Mayor in deciding a point of order to state the rule applicable to the case.

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12. That the Mayor or other Presiding Officer may vote with the other members on all questions, and any question on which there is an equality of votes shall be deemed to be negatived.
13. That if the Mayor or other Presiding Officer desire to leave the chair for the purpose of taking part in the debate, or otherwise, he shall call one of the Aldermen to fill his place until he resumes the chair.
14. That every member, previous to his speaking to any question or motion, shall rise from his seat uncovered, and shall address himself to the Mayor or other Presiding Officer.
15. That when two or more members rise at once, the Mayor or other Presiding Officer shall name the member who first rose in his place, but a motion may be made that any member who has risen "be now heard," or "do now speak."
16. That every member who shall be present when a question is put shall vote thereon, unless the Council shall excuse him, or unless he be personally interested in the question, provided such interest is resolvable into a personal pecuniary profit, or such as is peculiar to that member, and not in common with the interests of the citizens at large, in which case he shall not vote.
17. That when the Mayor or other Presiding Officer is putting the question, no member shall walk across or out of the room, nor make any noise or disturbance, nor when a member is speaking, shall any other member interrupt him, except to order, nor pass between him and the chair.
18. That a member called to order shall sit down, unless permitted to explain, and the Council, if appealed to, shall decide on the case, but without debate; if there be no appeal, the decision of the Mayor or other Presiding Officer shall be submitted to.
19. That no member shall speak disrespectfully of Her Majesty the Queen, nor of any of the Royal Family, nor of the Governor General, Lieutenant Governor, or person administering the Government of the Dominion, or of this Province, nor shall he use offensive words against the
- The Mayor may vote.
Equality of votes to be deemed in the negative.
- If the Mayor desires to leave the chair he shall call one of the Aldermen to fill his place.
- Members speaking to address the Mayor and stand uncovered.
- Two or more members rising together to speak.
- Members present to vote unless excused or are personally interested in the question.
- When a question is being put members not to leave the room.
- Members speaking not to be interrupted.
- Calling members to order.
- Members not to speak disrespectfully of the Queen, the Royal Family, the Governor-General, or Lieutenant-Governor, or use unmannerly language.

Council or against any member thereof, nor shall he speak beside the question in debate, and no member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.

Any member may require the motion to be read.

20. That any member may require the question or motion in discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

Members not to speak to the same question more than once, nor for more than fifteen minutes.

21. That no member shall speak more than once to the same question, without leave of the Council, except in explanation of a material part of his speech, which may have been misconceived, but then he is not to introduce new matter.

When reply is allowed.

A reply is allowed to a member who has made substantive motion to the Council, but not to any member who has moved an order of the day, an amendment to the previous question, or an instruction to a Committee, and no member, without leave of the Council, shall speak to the same question, or in reply, for longer than a quarter of an hour.

Divisions in the Council.

22. That upon a division of the Council, the names of those who vote for, and those who vote against the question shall be entered upon the minutes, not only in the case

Calling for ayes and nays.

required by law, but when any two members shall call for Ayes and Nays.

Questions put to the Mayor or members of the Council.

23. That questions may be put to the Mayor or other Presiding Officer, or through him to any member of the Council relating to any bill, motion or other matter connected with the business of the Council, or the affairs of the City, but no argument or opinion is to be offered, nor any facts stated except so far as may be necessary to explain the same; and in answering any such questions, a member is not to debate the matter to which the same refers.

When reply is allowed.

Closing the doors.

24. That when the door shall be directed to be closed, all persons, except the members and the Clerk shall retire.

ORDERS OF THE DAY.

Orders of the day.

25. That the Clerk shall have prepared and printed for the use of members, "The General Orders of the Day," containing, 1st—Reading of Minutes; 2nd—Original Com-

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5th—Referring Petitions and Communications; 6th—En-
quiries; 7th—Giving Notice; 8th—Unfinished Business;
9th—Motions; 10th—Consideration of Bills; 11th—Con-
sideration of Reports.

26. That the business shall, in all cases, be taken up in the Order in which business shall be taken up.
order in which it stands upon "The General Orders of the
Day," unless otherwise determined upon by a vote of two-
thirds of the members present, and without debate thereon.

MOTIONS AND ORDER OF PUTTING QUESTIONS IN COUNCIL.

27. That one day's notice shall be given of all motions for Notice of motion.
introducing new matter other than matters of privilege
and bringing up petitions; and no motion shall be dis-
cussed, unless such notice has been given, or the Council
dispense with such notice by a vote of two-thirds of the Dispensing with notice of motion.
members present, without debate.

28. That all motions shall be in writing and seconded Motions to be in writing and seconded,
before being debated or put from the chair. When a mo-
tion is seconded, it shall be read by the Mayor or other and read before debate.
Presiding Officer, before debate.

29. That after a motion is read by the Mayor or other Withdrawing motions.
Presiding Officer, it shall be deemed to be in possession of
the Council, but may be withdrawn at any time before
decision or amendment, with permission of the Council.

30. That a motion for commitment, until it is decided, Motion for commitment.
shall preclude all amendment of the main question.

31. That a motion to adjourn shall always be in order, Motion to adjourn.
but no second motion to the same effect shall be made,
until after some intermediate proceeding shall have been
had.

32. When a question is under debate, no motion shall be Proceedings on motions.
received, unless,—to commit it; to amend it; to lay on
the table; to postpone it; to adjourn; to move the pre-
vious question.

The previous question.

33. That the previous question, until it is decided, shall preclude all amendment of the main question, and shall be put without debate in the following words, "That this question be now put," and if this motion be resolved in the affirmative, the original question is to be put forthwith without any amendment or debate.

Amendments, how to be put.

34. That all amendments shall be put in the reverse order in which they are moved, except in filling up blanks when the longest time and the largest sum shall be put first; and every amendment submitted shall be reduced to writing, and be decided upon or withdrawn before the main question is put to vote. That all motions for the appointment of any member of the Council, or of any other person, to any office in the gift of the Council, shall preclude any amendments. Only one amendment shall be allowed to an amendment, and any amendment more than one, must be to the main question.

Motion for appointments to office.

Only one amendment to be allowed to an amendment.

Questions containing more than one proposition.

35. That when the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition shall be taken separately.

Putting the question finally.

36. That after any question is finally put by the Mayor or other Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result is declared; and the decision of the Mayor, or other Presiding Officer, as to whether the question has been finally put, shall be conclusive.

Motions contrary to the rules and privileges of the Council.

37. That whenever the Mayor, or other Presiding Officer is of opinion that a motion offered to the Council is contrary to the rules and privileges of the Council, he shall apprise the members thereof immediately, before putting the question thereon, and quote the rule or authority applicable to the case, without argument or comment.

Members to take their places when a division is called for.

38. That members shall always take their places when any division is called for.

ORDER OF PROCEEDINGS IN COMMITTEE OF THE WHOLE.

Order on going into Committee of the whole.

39. That whenever it shall be moved and carried that the Council go into a Committee of the whole, the Mayor

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is decided, said other Presiding Officer, shall leave the chair, and shall appoint a Chairman of Committee of the whole, who shall maintain order in the Committee and who shall report the proceedings of the Committee.

40. That no bill or report of a Committee shall be discussed in Committee of the whole, unless such bill or report has been previously printed and placed in the hands of the members, except it shall be decided otherwise by a vote of two-thirds of the members present, without debate.

Bills or reports not to be discussed in Committee of the whole, until printed.

41. That the rules of the Council shall be observed in Committee of the whole, so far as may be applicable, except that no motion shall require to be seconded, nor shall a motion for the previous question, or for an adjournment be allowed, and in taking the Ayes and Nays the names of members shall not be recorded, nor shall the number of times of speaking on any question be limited.

Rules of Council to be observed in Committee of the whole.

Exceptions.

42. That questions of order arising in Committee of the whole, shall be decided by the Chairman subject to appeal to the Council, and if any sudden disorder should arise in the Committee, the Mayor or other Presiding Officer, will resume the chair without any question being put.

Questions of order in Committee of the whole.

43. That on motion in Committee of the whole to rise and report, the question shall be decided without debate.

Motion to rise and report.

44. That a motion in Committee of the whole to rise without reporting, or that the Chairman leave the chair, shall always be in order and shall take precedence of any other motion. On such motion debate shall be allowed, and on an affirmative vote, the subject referred to the Committee shall be considered as disposed of in the negative, and the Mayor, or other Presiding Officer, shall resume the chair, and proceed with the next order of business.

Motion to rise without reporting, or that the Chairman leave the chair.

READING OF BILLS AND PROCEEDINGS THEREON.

45. That when a bill is read in the Council, the Clerk shall certify the readings, and the time, on the back thereof. After bills have passed he shall be responsible for their correctness, should they be amended.

Clerk to certify the readings on bills, and be responsible for their correctness.

Reading of Bills.

46. That the question, "That this bill be now read a first time," shall be decided without amendment or debate; and every bill shall be read twice before it is committed to the engrossed, and read a third time before it is signed by the Mayor.

Manner of introducing and reading Bills in the Council.

47. That every bill shall be introduced upon motion leave, specifying the title of the bill, or upon motion to appoint a Committee to prepare and bring it in; and each bill shall receive three several readings, and on different days previous to its being passed, except in urgent and extraordinary occasions and upon a vote of two-thirds of the members present, when it may be read twice or thrice or advanced two or more stages in one day.

Bills for the appropriation of money on reports of the Committee of the whole.

48. That any bill for the appropriation of money, brought in on the report of a Committee of the whole, shall pass through all its stages without being again referred to Committee of the whole, unless upon special motion in writing.

Proceedings upon bills in Committee of the whole.

49. That in proceedings in Committee of the whole upon bills, every clause shall be considered in its proper order; the preamble shall be next considered, and then the title.

Reporting bills with amendments.

50. That all amendments made in Committee of the whole shall be reported by the Chairman to the Council who shall receive the same forthwith. After report, the bill shall be open to debate and amendment before it is

Reading bills a third time.

ordered for a third reading. When a bill is reported without amendment, it is forthwith ordered to be read a third time, at such time as may be appointed by the Council.

Reporting bills without amendments.

By-laws to be printed and bound up as a supplement to the minutes.

51. That all By-laws after having been printed, and finally adopted by the Council, shall be pagged and bound up as a supplement to the minutes of the Council for the year in which they are passed, and shall have a separate index prepared for the same.

PETITIONS AND COMMUNICATIONS.

Requisites of petitions or communications to the Council.

52. That every petition, remonstrance, or other written application intended to be presented to the Council must be fairly written or printed on paper or parchment, and

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53. That every petition, remonstrance, or other written application may be presented to the Council by any member thereof, not signing or being a party to the same, on any day, but not later than the hour at which the Common Council convene, except on extraordinary occasions; and every member presenting any petition, remonstrance, or other written application to the Council, shall examine the same, and shall be answerable that they do not contain any impertinent or improper matter, and that the same is respectful and temperate in its language; he shall also endorse thereon the name of the applicant and the substance of such application, and sign his name thereto, which endorsement only shall be read by the Mayor or other Presiding Officer, unless a member shall require the reading of the paper, in which case the whole shall be read.

Presentation of petitions or communications.

Members presenting petitions, &c. to be answerable for their contents.

Petitions to be endorsed.

54. That all petitions or other written communications on any subject within the cognizance of any Standing Committee, shall, on presentation, be referred by the Mayor or other Presiding Officer, to the proper Committee, without any motion; and no member shall speak upon, nor shall any debate be allowed on the presentation of any petition or other communication to the Council; but any member may move that in referring said petition or other communication, certain instructions may be given by the Council, or that the said petition or communication be referred to a Select Committee, and if the petition or communication complain of some present personal grievance, requiring an immediate remedy, the matter contained therein may be brought into immediate discussion, and disposed of forthwith.

Referring petitions or communications.

Debate not allowed on the presentation of petitions or communications,

unless they complain of a present personal grievance.

55. That any member may move to take up or refer any communication or petition made or presented to the Council during the year in which such motion is made, or during the year next preceding such year, and whether such communication or petition has been referred to a Committee and reported upon or not; but no motion shall be in order to take up or refer a communication or petition made or presented at any time before the commencement of the year next preceding such motion.

Petitions of the previous year may be referred.

APPOINTMENT AND ORGANIZATION OF COMMITTEES.

Appointment of
Standing or Se-
lect Committees.

The Mayor to be,
ex-officio, a mem-
ber of all Com-
mittees.

Members intro-
ducing bills, &c.,
which are refer-
red to a Select
Committee, to be
members of such
Committee.

Majority of mem-
bers of Commit-
tee to form a
quorum.

Standing Com-
mittees of the
Council.

56. That all Standing or Select Committees shall be appointed on motion of a member by consent of a majority of the Council, and any member of the Council may be placed on a Committee, notwithstanding the absence of such member at the time of his being named upon such Committee; and the Mayor shall be *ex-officio*, a member of all Committees, and no Committee shall consist of more than eight members without the consent of the Council.

57. That every member who shall introduce a bill, petition or motion, upon any subject which may be referred to a Select Committee, shall be one of the Committee without being named by the Council, and shall, unless otherwise determines, be the Chairman of such Committee.

58. That of the number of members appointed to compose any Standing or Select Committee, such number thereof as shall be equal to a majority of the whole number chosen, exclusive of any *ex-officio* member, shall be a quorum competent to proceed to business.

59. That there shall be annually appointed, at the first or second meeting of each newly elected Council, the following Committees which shall compose the Standing Committees of the Council :

- (1) The Standing Committee on Finance and Assessment
- (2) The Standing Committee to be designated "The Board of Works."
- (3) The Standing Committee on Wharves and Harbours.
- (4) The Standing Committee on Public Walks and Gardens.
- (5) The Standing Committee on Public Markets.
- (6) The Standing Committee on Fire, Water and Gas.
- (7) The Standing Committee on Public Buildings.
- (8) The Standing Committee to be designated "The Board of Jail Inspectors."
- (9) The Standing Committee on Licenses.

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- COMMITTEES. 60. That each Standing Committee of the Council shall consist of such members of the Council, not exceeding one member from each Ward, as the Council may elect at its first or second meeting as aforesaid. Composition of the Standing Committees.
- the absence of 61. That the members of each Standing Committee of the Council shall meet at the City Hall for the purpose of such organization, within three days after that on which they shall consist of one appointed, at such hours as the Mayor may direct, or consent of the default of the Mayor naming such hours, then the City Clerk shall appoint the hours for such meetings. First meetings of the Standing Committees.
62. That the members of each Standing Committee of the Council shall at their first meeting proceed to elect a Chairman; and immediately after such Chairman has been elected, the days of the future regular meetings of each Standing Committee shall be determined by the members thereof, and also the hour at which each of such meetings shall be held. Election of Chairmen of Standing Committees. Days of meeting.
63. That the regular meetings of the Standing Committees on Finance and Assessment, and of "The Board of Works," so determined, shall be held once in each week, and by each of the other Standing Committees as often as may then be determined upon, but all such meetings shall be at regular stated intervals, and not less than once in each month. Regular meetings of Standing Committees.
64. That special meetings of Standing Committees may be called by the Chairman whenever he shall consider it necessary to do so; and it shall be the duty of the Chairman, or in his absence from the City, it shall be the duty of the Clerk of the Council to summon a special meeting of a Committee whenever requested in writing to do so by a majority of the members composing it. Special meetings of Committees, how to be called.
65. That members of the Council may attend the meetings of any of its Committees, but shall not be allowed to vote, nor shall they be allowed to take part in any discussion or debate, except by the permission of the majority of the members of the Committee. Members of the Council may attend meetings of Committees.

DUTIES AND ORDER OF BUSINESS OF COMMITTEES.

66. That the business of the respective Standing and Select Committees shall be conducted under the following regulations: Rules for Committees.

Chairman to
preside and vote.

- (1) The Chairman shall preside at every meeting, and shall vote on all questions submitted, and in case of an equal division, the question shall be passed in the negative.

Chairman to sign
all documents.

- (2) He shall sign all such orders and documents as the Committee may legally order.

In the absence of
the Chairman
another member
shall preside.

- (3) In his absence one of the other members shall be elected to preside, who shall discharge the duties of the Chairman for the meeting until the arrival of the Chairman.

Minutes of Com-
mittees.

- (4) The minutes of all the transactions of every Committee shall be accurately entered in a book to be provided for that purpose, and at each meeting the minutes of the preceding meeting shall be submitted for confirmation or amendment, and after they have received the approval of a majority of the members present, they shall be signed by the Chairman.

Minutes of pre-
vious meetings to
be confirmed.

Reports, &c., to
be entered on the
minutes.

- (5) There shall be entered on the minute book of each Committee all reports ordered to be submitted to the Council, all orders that may be passed, and all accounts that may be audited, with a reference to the By-law or Resolution of the Council, under which such audit is made, together with such other matters as the Committee shall consider essential to a correct exhibition of its proceedings.

Minutes to have
progressive num-
bers and to be
indexed.

- (6) Each minute so recorded shall have attached to it a progressive number for reference, and an analytical index shall be kept for each minute book.

Recording divi-
sions.

- (7) When a division takes place on any question, the votes of the members shall be recorded, if required by one of the members.

Orders to be sign-
ed by the Chair-
man and are to
refer to the min-
utes of the Com-
mittee.

- (8) No order or authority to do any matter or thing shall be recognized as emanating from any Committee unless it is in writing, nor unless it is signed by the Chairman or acting Chairman, and refers to the minute of the Board under which it is issued.

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 , and in case select Committees of the Council shall be as follows : Committees.

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- (1) To report to the Council from time to time, whenever desired by the Council, and as often as the interests of the City may require, on all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto as may be deemed necessary. To report to the Council on all matters connected with the duties imposed on them.
 - (2) To prepare and introduce into the Council all such By-laws as may be necessary to give effect to the reports or recommendations of the respective Committees that are adopted by the Council. To prepare By-laws.
 - (3) To give effect, by the instrumentality of the proper Officer or Officers, to all By-laws and Resolutions of the Council that relate to the duties of the respective Committees. To give effect to By-laws and Resolutions of the Council.
 - (4) To audit all accounts connected with the discharge of the duties imposed by the Council, or with the performance of any works, or the purchase of any material or goods under the supervision of the respective Committees. To audit accounts.
 - (5) To consider and report respectively on any and all matters referred to them by the Council, the Chairman signing such report and bringing up the same. To report on matters referred to them by the Council.
 - (6) To adhere strictly, in the transaction of all business, to the rules prescribed by the respective By-Laws of the Council. To adhere to the rules prescribed by the By-laws.
 - (7) To present to the Council, on or before the last regular meeting of the Council in each and every year, for the information of the Council, and of the inhabitants generally, as well as for the guidance of the Committees of the following year, a general report of the state of the various matters referred to the Committee from time to time during the year, the work or business done through or by such Committee, and the expenditure made under their authority or superin-

tendence; such report shall also state the number (8) To r
meetings the Committee held during the year, before
which a quorum was present; and the number of mee nam
ings duly called, but at which there was no quorum Colle
and how often each member was absent from the latte perfe
meetings; and shall contain such suggestions in regard tions
to the future action of the succeeding Committee,
experience may enable the reporting Committee (4) To r
make in respect of the matters embraced in the report in J
reve

To see that Cor-
poration Officers
give security.

- (8) To see that the persons in office, or appointed t
office, connected with the department of each respec (5) To c
tive Committee, has given, or does give, the necessary on t
security required of them for the performance of their railv
duties, and in the case of any new appointment, that Corp
the security is given before any such person enters
upon his duties. (6) To c
the

Duties of the
Committee on
Finance and As-
sessment.

68. That in addition to the duties prescribed by law o
by the sixty-seventh section of this By-law, or by any (7) To h
other By-law of the City of Toronto, the duties speciall docu
imposed on "The Standing Committee on Finance and ture
Assessment," shall be as follows: shall
and

To make an an-
nual report to the
Council on Fi-
nance and Assess-
ment.

- (1) To present to the Council, on or before the last Mon (8) To s
day in April in each year, a full and particular exhibi so, i
of the financial affairs of the City at the termination o
the preceding financial year, together with an estimate (9) To
of the amount required to be raised by assessment be p
during the current year. his

To recommend
the names of the
Assessors.

- (2) To recommend for appointment by the Council, on o (10) To
before the first Monday in February in each year, the or
names of such number of fit and proper persons to be the
Assessors, as may be necessary for the performance of do,
that duty, such nominees having previously undergone be
an examination in the presence of the said Committee
and considered by the Committee to be duly qualified (11) To
to perform the duties of Assessors before being so re- and
commended. suc

Assessors to be
examined as to
their quali-
fication.

- the number (3) To recommend for appointment by the Council, on or before the first Monday in July, in each year, the names of such number of fit and proper persons to be Collectors of Taxes, as may be necessary for the performance of that duty, subject to the same conditions as Assessors, in regard to previous examination. To recommend the names of the Collectors.
- Committee (4) To report to the Council, on or before the first Monday in June, in each year, as to the manner in which the revenue required for the current year should be raised. To report how the revenue for the current year should be raised.
- of each year (5) To consider and report, as often as may be necessary, on the management of all matters connected with railway stock, bonds, or other securities held by the Corporation. To report on the management of securities held by the Corporation.
- person enter (6) To consider and report on all affairs connected with the leasing or selling of City property. To report on the selling or leasing of City property.
- by law (7) To have the special supervision of the books of account, documents and vouchers, and of all moneys, debentures and securities, in the Chamberlain's office, and shall also have the supervision of the Chamberlain, and of all Officers in his department under him. To have the supervision of the Chamberlain's department.
- the last Mon (8) To advise the Chamberlain, when called upon to do so, in all matters pertaining to his office. To advise the Chamberlain.
- particular exhibi (9) To see that all duties and services which ought to be performed by the Chamberlain and the Officers in his department, are fully executed. To see that the Chamberlain and his Officers perform their duty.
- termination o (10) To forbid the signing or delivery of any cheques, or of any security, or the payment of any money by the Chamberlain, if they shall think it expedient so to do, until the matter can be further considered, or can be referred to the Council. To forbid the payment of moneys, &c., under certain circumstances.
- th an estimat (11) To regulate all matters connected with the receipt and payment of money, and to order the adoption of such regulations in connection therewith as may be To regulate the receipt and payment of moneys and manage the financial affairs of the City.

deemed necessary for the prevention of any payment being made in contravention of the By-laws, and generally to manage the financial affairs of the City.

Stationery.
Advertisements.
Printing.

- (12) To direct the purchase of stationery, the advertisement of City notices, and the performance of printing and to report thereon to the Council.

Duties of the
Board of Works.

69. That in addition to the duties prescribed by law or by the sixty-seventh section of this By-law, or by any other By-law of the City of Toronto, either prescribing duties to the Board of Works, or to a former Committee of the Council called the "Board of Health"; the duties especially imposed on the Standing Committee of "The Board of Works" shall be as follows:

To report on
matters connect-
ed with sewers,
streets, &c.,

the employment
of labour,
the purchase of
material.

- (1) To consider and report on all matters relating to sewers, drains, streets, lanes, alleys, public thoroughfares and their maintenance against encroachments, sidewalks, fences, surveys, lands, the employment of labour, and the purchase of material for all the purposes connected with such matters.

To recommend
regulations for
the control of pri-
vate buildings,
&c., as may be
requisite for the
public safety.

- (2) To report and recommend to the Council such regulations for the control of private buildings, drains and fences, as may be requisite for the public safety and welfare, and in accordance with the Legislative enactments.

To report on all
works of perma-
nent improve-
ment to be car-
ried out during
the ensuing year.

- (3) To report to the Council, in their final report each year, on all works of permanent improvement in connection with the City property above enumerated as it may be considered essential to the welfare and convenience of the citizens to be carried out during the ensuing year, together with the estimated cost of the works so recommended.

To have control
of the City Engi-
neer and his Staff,
and to report to
the Council.

- (4) To direct and control the City Engineer and his Staff in the discharge of their duties, and to report to the Council from time to time, on all matters connected with the duties of his department.

of any payment⁽⁶⁾ To give effect to such orders of the Council in relation To give effect to
the By-laws, and to the performance of works under other Committees, certain orders of
affairs of the City of the Council.

y, the advertisement⁽⁷⁰⁾ That in addition to the duties prescribed by law, or Duties of the
of printing the sixty-seventh section of this By-law, or by any other Committee on
in the Standing Committee on Wharves and Harbours, Wharves and
shall be as follows : Harbours.

prescribed by law⁽¹⁾ To manage and report on all matters connected with To manage and
y-law, or by a wharves or other property abutting on the waters of report on
either prescribe the Bay that may be owned by the Corporation. wharves and
former Committee property abutting
health"; the duties on the water.

Committee of "Finance and Assessment,"⁽²⁾ To manage and report, in conjunction with the To manage, with
on all matters relating to the settlement of accounts, the Finance
for the construction of the Esplanade, and filling in of Committee, the
water lots, the adjustment of the amount to be charged accounts relating
to the respective owners of water lots in respect of said to the Esplanade
work, and the assessment therefor, in accordance with and water lots.
the Legislative enactment in relation thereto.

71. That in addition to the duties prescribed by law, or Duties of the
by the sixty-seventh section of this By-law, or by any other Committee on
By-law of the City of Toronto, the duties especially imposed Public Walks and
on the Standing Committee on Public Walks and Gardens, Gardens.
shall be as follows :

(1) To manage and report on all matters connected with To manage and
the preservation of all grounds set apart for Public report on matters
Parks, Squares, Gardens or Walks, and all buildings connected with
erected thereon, and the prevention of encroachments the public parks,
on such properties. squares, &c.

(5) To report on all matters connected with fencing, orna- To report on
menting and preserving the Parks, Squares, Gardens, fencing and pre-
or Walks, as aforesaid, and to carry out all such works serving the
connected therewith, as the Council may authorize. parks, &c.

(4) To consider and report in conjunction with the To consider and
"Standing Committee on Finance and Assessment," on report with the
all matters connected with the sale or disposal of the Finance Commit-
lands deeded to the City of Toronto by the Trustees tees on the dispo-
sals of the public
lands and gar-
dens property.

named in a certain patent from the Crown, dated the 10th of January, 1840, and which lands are commonly known as Public Walks and Gardens, and to manage and direct the disposal of the funds accruing from such sales, in such manner as may be consistent with the Acts of the Legislature in that behalf, and most conducive to the interests of the City.

Duties of the
Committee on
Public Markets.

72. That in addition to the duties prescribed by law, or by the sixty-seventh section of this By-law, or by any By-law of the City of Toronto, the duties especially imposed on the Standing Committee on Public Markets shall be as follows:

To manage and
report on all
affairs relating to
markets, &c.

(1) To manage and report on all affairs relating to the regulation of the Public Markets, Weigh-houses, Inspection of Weights and Measures, the prevention of forestalling or regrating, the regulating of the assize of bread, the dealings of hucksters, the cleaning of markets, the prevention of the sale of tainted or unwholesome food.

To report on the
levying of mar-
ket fees, &c.

(2) To report on the levying and collecting of Market dues or tolls, and Weigh-house fees, and rental of stalls.

To report and
carry out works
for the mainte-
nance of the mar-
kets, &c.

(3) To report on all works that may be required for the maintenance of Markets, Market-houses and Fences, and to carry out all such works in connection therewith as the Council may authorize.

Duties of the
Committee on
Fire, Water and
Gas.

73. That in addition to the duties prescribed by law, or by the sixty-seventh section of this By-law, or by any By-law of the City of Toronto, the duties especially imposed on the "Standing Committee on Fire, Water and Gas," shall be as follows:

To manage and
report on mat-
ters relating to
the Fire Brigade.

(1) To manage and report on the organization of the Fire Brigade, the supply and maintenance of the engines, horses, hose, hose carts, and all other apparatus connected therewith, and to see that the same are kept in good order, repair and efficiency.

- rown, dated 6) To appoint the members of the Fire Brigade. To appoint the members in the Fire Brigade.
- and which lan) To report on the Lighting of the City, on the erection of gas or oil lamps, and the inspection thereof, and the inspection of gas metres. To report on the lighting of the City.
- ks and Garder) To enquire into and report on the supply of Water, and the erection and maintenance of tanks, hydrants and fire-plugs. To report on the supply of water, the erection of tanks, &c.
- posal of the fun) To consider and report on all matters connected with the establishment of fire limits, the inspection of buildings with reference thereto, and the prosecution of offenders against such regulations as may be enacted. To consider and report on the fire limits and inspection of buildings.
- anner as may 5) To consider and report on all matters connected with the establishment of fire limits, the inspection of buildings with reference thereto, and the prosecution of offenders against such regulations as may be enacted. To consider and report on the fire limits and inspection of buildings.
- legislature in the) That in addition to the duties prescribed by law, by the sixty-seventh section of this By-law, or by any other By-law of the City of Toronto, the duties especially imposed on the "Standing Committee on Public Buildings," shall be as follows : Duties of the Committee on Public Buildings.
- interests of t) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- scribed by la) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- z-law, or by an) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- es especially in) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- lie Markets sha) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- s relating to t) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- igh-houses, l) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- r by the sixty-seventh section of this By-law, or by any other By-law of the City of Toronto, the duties especially imposed on the "Standing Committee on Public Buildings," shall be as follows : Duties of the Committee on Public Buildings.
- the prevention) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- g of the assize) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- the cleaning) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- of tainted) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- ting of Mark) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- and rental) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- required for th) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- es and Fence) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- unction ther) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- bed by law, o) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- w, or by an) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.
- especially in) (2) To report and recommend to the Council such regulations and alterations as may from time to time be deemed necessary and expedient, and to carry out such works in connection therewith as the Council may authorize. To report on alterations and to carry out the works authorized by the Council.
- e, Water an) (1) To manage and report on all matters connected with the management, erection and repairs of public buildings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens. To manage and report on matters connected with the public buildings.

APPOINTMENT AND DUTIES OF OFFICERS OF THE CORPORATION.

CHAMBERLAIN.

- on of the Fir) 75. That to enable the Standing Committee on Finance and Assessment to discharge the duties hereby imposed on it, the Chamberlain, by himself, or his Deputy, shall, in addition to those duties prescribed by law, or by any By-law or Resolution of the Council, perform the following duties: Duties of the Chamberlain.
- the engines) 75. That to enable the Standing Committee on Finance and Assessment to discharge the duties hereby imposed on it, the Chamberlain, by himself, or his Deputy, shall, in addition to those duties prescribed by law, or by any By-law or Resolution of the Council, perform the following duties: Duties of the Chamberlain.
- apparatus con) 75. That to enable the Standing Committee on Finance and Assessment to discharge the duties hereby imposed on it, the Chamberlain, by himself, or his Deputy, shall, in addition to those duties prescribed by law, or by any By-law or Resolution of the Council, perform the following duties: Duties of the Chamberlain.
- e are kept in) 75. That to enable the Standing Committee on Finance and Assessment to discharge the duties hereby imposed on it, the Chamberlain, by himself, or his Deputy, shall, in addition to those duties prescribed by law, or by any By-law or Resolution of the Council, perform the following duties: Duties of the Chamberlain.

To act as Secretary to the Finance Committee.

- (1) To act as Secretary to the said Committee, and such, to keep a record of all minutes, orders reports: Provided always, that the said Committee from time to time, allow one of the Clerks in his to act as their Secretary.

To cause notices of the meetings of the Committee to be served.

- (2) To cause a notice of each regular and special meeting to be served on each member of the said Committee at his residence or ordinary place of business, one day previous to such meeting being held.

To supply information to the Committee.

- (3) To supply all information relative to the finances of the City, and to all other matters connected with the office, as the said Committee may require.

To conform to the directions of the Committee.

- (4) To conform to all directions of the said Committee consistent with law or the By-laws of the City.

To have charge of the City Seal.

- (5) To have charge of the City Seal, and only to attach the same to any document connected with the Corporation, on the order of the Council, or of the Committee.

To have control over the Officers in his office.

- (6) To have control over all Officers placed in his office subject to such orders as he may from time to time receive from the said Committee or the Council.

CITY CLERK.

Duties of the Clerk of the Council.

76. That the duties of the Clerk of the Council, in addition to those prescribed by law, or by any By-law or Resolution of the Council in connection with all Standing and other Committees, shall be :

To notify members of Committees of the time and place of their first meeting.

- (1) To notify each member of the respective Committees appointed under this By-law, so soon as the appointment has been made, of the time and place at which the first meeting of each Committee will be held.

To furnish members with a copy of this By-law.

- (2) To furnish each of such members with a copy of this By-law at the time of serving the notices of the first meeting.

- Committee, and minutes, orders of the said Committee. The Clerks in his office shall attend and special meetings of the said Committee of business, and shall be held.
- (3) To cause a notice of each regular and special meeting of each of the Standing and other Committees, except the "Standing Committee on Finance and Assessment," and "the Board of Works," to be served on the members thereof, at their residence or ordinary place of business, on the day previous to such meeting being held. To notify members of the meetings of certain Committees.
- (4) To furnish the Chamberlain of the City, the Secretary of "the Board of Works," and the Chairman of each of the other Committees, with certified copies of all resolutions, enactments and orders of the Council relative to the matters over which the said Committees may respectively have jurisdiction, on the day next succeeding that upon which the action of the Council in respect thereof takes place. To furnish certified copies of resolutions, &c., of the Council.
- (5) To communicate or convey to the Committees all petitions or other documents referred by the Council. To communicate to the Committees matters referred to them.
- (6) To attend all meetings of the Committees, by himself or his Deputy, except the "Standing Committee on Finance and Assessment," and "the Board of Works," when required so to do by the Chairman or acting Chairman thereof, and to record the minutes, orders and requests of all such meetings in the manner hereinafter provided. To attend the meetings of certain Committees.
- (7) To have two hundred and fifty copies of each of the final reports of the several Standing Committees printed forthwith, after they shall have been submitted to the Council. To keep their minutes.
- (8) To have control over all Officers employed in his office, subject to such orders as he may from time to time receive from the Mayor or the Council. To have the reports of the Committees printed.
- (9) To give notice to the members of the Council of all meetings thereof, when held on any other day than Monday; said notice to be delivered to each member, at his residence or place of business, on the day previous to that on which such meeting is to be held. To have control over the clerks in his office.
- (10) To give notice of special meetings of the Council. To give notice of special meetings of the Council.
- (11) To give notice of the Council. Service of notice.

ENGINEER AND STAFF.

Appointment of
a City Engineer,
Secretary and
Draughtsman.

77. That to enable the Board of Works to give effect to the provisions of this By-law, relating to the said Committee, the Council shall appoint an Officer, to be known as the City Engineer, and also a Secretary and Draughtsman, who shall hold office during the pleasure of the Council, at salaries as may be determined upon; and the duties of the said Officers shall be as follows :

Their duties.

To comply with
the orders of the
Board of Works,
&c.

(1) To comply with such orders as the said Board of Works may legally issue, and to perform such duties as may be allotted to them by law, or by the By-law, or by any other By-law or Resolution of the Council.

City Engineer
report annually.

(2) It shall be the duty of the City Engineer, or person in charge of the Engineer's department to report to the said Board of Works on or before the first day of December in each year, as to the improvements and repairs necessary, in his opinion, to be made by the Corporation during the next succeeding year, so far as he can anticipate the same, including in such report all matters that by this By-law are placed under the management of the said Board of Works; and also, on or before the first day of May in each year, to present a supplementary report as to any additional repairs that may not have been anticipated in his report of the preceding year, but which may subsequently appear to be required.

A record of the
delivery of ma-
terials to be kept.

(3) To enter in a book to be kept by him for that purpose, to whom plank, lumber, stone or other materials have been delivered, or ordered by him to be delivered, and upon what contract, or otherwise the same are so delivered, designating the particular work or improvement for which the same were intended.

To report once a
month on the
amount of ma-
terials belonging
to the City.

(4) To report to the said Board of Works, once in each month a full and perfect statement of the plank, timber and other materials belonging to the City, and

respectively received and delivered by him and from and to whom respectively, and for what purpose.

ks to give effect
to the said Com
to be known as)
Draughtsman,
the Council, at s
and the duties

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to the City, at

5) To have the superintendence of, and be respon-
sible for the due performance of all works done for
the Corporation, and particularly (when not other-
wise specially ordered by the Council,) of all work
connected with;—the erection and repair of public
buildings; the sewerage and drainage of the City;
the making, macadamizing, paving and repairing, as
well as the necessary watering and otherwise clean-
ing of the streets.

To superintend
works done for
the City.

Public buildings.

Sewers.

Streets.

6) To decide, under the direction of the said Board of
Works, on the number of mechanics and labourers from
time to time required on the works and to be paid by
the City; and the men shall be employed and dis-
missed by him under such authority.

To decide on the
number of per-
sons to be em-
ployed.

7) To examine into or cause examination to be made
into all complaints of defective sidewalks, paving,
flagging or sewerage.

To examine the
sidewalks, &c.

8) To see to the conservation of the public thoroughfares
and their maintenance against encroachment.

To see to the
public thorough-
fares.

9) To examine and certify all bills for materials and
labour against the Corporation, and make the surveys
and examinations necessary for the purpose.

To certify bills
for materials, &c.

To make surveys,
&c.

10) To cause a weekly return to be made to him of all the
workmen employed and materials used during the
week, and of the amount and description of work done
during the week.

To make a week-
ly return of
workmen and
materials.

11) To prepare regulations in regard to the duties to be
performed by the various Officers in his department, or
subject to his orders; and such regulations, on being
approved by the Standing Committee to whose de-
partment the same may belong, shall be entered in a

To prepare regu-
lations for the
officers in his de-
partment.

book to be kept for the purpose : and a copy of the regulations shall be hung up in a conspicuous place in his office ; and any addition to or change in the regulations shall be approved, entered and exhibited from time to time in the same manner.

To comply with the directions of the Committees of the Council.

(12) To comply with any directions of the Committee of the Council, with reference to the said matters and other matters which shall fall within any authority duly given to such Committees respectively by the Council.

To inspect, measure and receive materials used by the City in effecting improvements.

(13) To inspect, measure, receive, or caused to be inspected, measured, and received, the lumber, timber, stone, and other materials belonging to or used by the City for the streets or other public improvements ; to keep a full and accurate account of the quantities and quality of the same, and from whom received, and to enter the account in a book to be kept for the purpose, designating the quantity and quality of each kind of materials, with the view of securing due care in their receiving, preserving, and using the said materials belonging to or used by the City.

To report when obstructed in his duties, or when he requires advice or instruction.

(14) To report from time to time to the said Board of Works, or any other Standing Committee having cognizance of the matter, or to the Council, as the case may require, any obstruction he may meet with in the discharge of his duties, as well as any matter on which he may want advice or instruction.

Secretary and Draughtsman to give notice of the meetings of the Board.

(15) It shall be the duty of the Secretary and Draughtsman to cause a notice of each regular and special meeting to be served on each member of the Board of Works, at his residence or ordinary place of business, on the day preceding that on which such meeting is to be held ; he shall also keep the records of the said Board of Works in accordance with the provisions of this By-law.

To keep records of the Board.

To have control of assistants employed in his office.

(16) To have control of all assistants employed in his office, subject to such orders as he may, from time to time, receive from the said Board of Works.

and a copy of 78. That no assistance in addition to the above Officers shall be employed in the City Engineer's Office, unless the necessity for such additional assistance, and the cause thereof, shall have been first reported to the Council; but at any time there should arise an urgent necessity for employing additional assistance, in default whereof the interests of the City might suffer, then the said Board of Works may order such addition to the staff as may be necessary until the matter can be brought before the Council, and action had thereon: Provided always, that the employment of such additional assistance, with the full particulars of the occasion therefor, shall be reported to the Council at its next meeting.

Additional assistance in City Engineer's office.

79. That every certificate given by the City Engineer, person in charge of the City Engineer's Department, of the accuracy of any account against the Corporation, shall be prepared in duplicate, and one part shall be delivered to the Chamberlain, before or at the same time that the other part is delivered to the person entitled to receive the money thereon.

Certificates of the accuracy of accounts to be in duplicate.

ASSESSORS, COLLECTORS, AND OTHER OFFICERS OF THE CORPORATION.

80. That the Collectors' Rolls are to be ready for the Collectors on or before the first day of August in each year; and if the press of business makes this impossible for the City Clerk and his assistants, the Standing Committee on Finance and Draught Assessment shall obtain for the Clerk such further and temporary assistance as may be necessary, and shall forthwith report to the Council what they do in this respect, with their reasons therefor.

Collectors' Rolls to be ready by the first of August in each year.

81. That in addition to the duties prescribed by law, or by any By-law or Resolution of the Council, every Collector, and every Officer of the Corporation (other than the Chamberlain) whose office occasions his receiving or collecting money for the Corporation, shall, unless otherwise directed by By-law or Resolution of the Council, pay to the Chamberlain, on the Saturday of every week, all his collections

Moneys received by the Officers of the Corporation, how and when to be paid over.

up to that date; and shall, at the same time, deliver to the Chamberlain a declaration signed by such Collector or other Officer as aforesaid, and to the effect that the amount so paid is all that he has received up to the time of making such payment, and the Chamberlain or Standing Committee on Finance and Assessment, may require a declaration in any case, to be sworn before the Mayor.

Chamberlain to report defaulters.

82. That the Chamberlain shall, from time to time, report to the Council all Collectors or other Officers who are in default in complying with the requirements of the preceding section of this By-law, with the particulars of such default.

MONEY APPROPRIATIONS, ACCOUNTS, EXPENDITURES, CONTRACTS AND IMPROVEMENTS.

Money appropriations.

83. That all appropriations of money shall be submitted to a Committee of the whole before being taken up by the full Council.

Committees, Members, or Officers of the Corporation not to make contracts without the sanction of the Council.

84. That no Committee, or Member of the Council, and no Officer of the Corporation, shall on behalf of the Corporation, enter into a contract, or incur or authorize an expenditure, without having obtained, by By-law or Resolution, the previous authority or sanction of the Council.

Contracts or expenditures requiring the sanction of the rate-payers not to be authorized until the By-law is passed.

85. That no contract or expenditure shall be authorized or permitted in contemplation of a loan, whereby a debt is incurred requiring the approval of the rate-payers, until after the By-law for such loan or debt has been duly passed and has been approved of by the rate-payers according to law.

Resolutions or By-laws authorizing expenditure of money not to be passed until means are provided.

86. That no Resolution or By-law authorizing, or purporting to authorize, the expenditure of money, shall be passed by the Council, or acted upon by any Committee or Officer of the Corporation, unless either adequate means of meeting such expenditure are at the same time provided by the By-law or Resolution, or sufficient unappropriated money is in hand, or will become payable to the Corporation before the thirty-first day of December in the same

time, deliver to ~~the~~ nor unless the fact of such adequacy or sufficiency such Collector appears from a certificate of the Chamberlain or a Report of the Standing Committee on Finance and Assessment before, or at the time, the By-law or Resolution is passed: Provided always, that in all cases where a By-law or Resolution of Council provides for the issuing of debentures for the purpose of raising the ways and means of meeting the expenditure thereby contemplated, the same shall, nevertheless, be passed by the Council, although the Officers who make the same shall not be a report of the Standing Committee on Finance and Assessment, or a certificate of the Chamberlain, that there are funds on hand for the purpose.

Proviso: when By-laws provide for the issue of debentures for raising the ways and means of meeting the expenditure.

87. That when such By-law is passed, the debentures to be issued thereon may be issued and negotiated, and the funds be received thereon or therefor; and whenever such funds are received by the Chamberlain, the Standing Committee on Finance and Assessment shall then report, or the Chamberlain shall then certify to the Council the amount of such funds on hand and the purposes to which the same are dedicated.

Debentures negotiated to be reported.

88. That after such report or certificate of funds to the Council, the work intended to be done, or the debt intended to be paid, or the purchase intended to be made, or other, the purpose or expenditure contemplated, may then, but not until then, be proceeded with.

When expenditure may be proceeded with.

89. That no work or improvement shall hereafter be authorized by the Council, without either having an estimate of the probable cost thereof, or (in the absence of an estimate,) limiting an amount therefor; and no contract shall be entered into for such work or improvement at a larger sum, or involving a larger expenditure, than the amount so estimated or limited, and if such amount is found insufficient the fact is to be reported to the Council before the work is commenced or contracted for.

Works or improvements not to be authorized without an estimate.

Insufficient estimates to be reported to the Council.

90. That when money is hereafter duly authorized to be expended for any purpose, the amount to be expended is not to be credited by the Chamberlain to any Committee, but he is to credit the same to an account to be opened, for the object for which the money is voted; and

Chamberlain to keep separate accounts.

he shall at the same time charge the amount against the fund out of which the same is to be paid, so as to show how much of such fund is from time to time appropriated; and he shall afterwards charge against the account which is to receive the credit the sums from time to time of the amount so voted.

Excess of appropriation to be carried to an account for unappropriated moneys.

91. That in case money appropriated to any particular purpose exceeds the amount which such purpose is afterwards found to require, the Chamberlain shall carry surplus to the credit of an account to be opened in books for unappropriated money.

Moneys voted for one purpose not to be applied to another.

92. That no money hereafter voted or raised for any purpose shall be applied to any other purpose, without express rescinding or repealing the Resolution or By-law by which under which the same was voted or raised, so far as such Resolution or By-law stated the purpose.

Reports to contain reasons for expenditure.

93. That for the purpose of better securing to the Council full and accurate information before being called upon to authorize the expenditure of City money, every report recommending an expenditure of money shall state the reasons and grounds on which the recommendation is made, and shall, as far as practicable, state the same with sufficient fullness to enable others to judge of the propriety of the proposed expenditure.

City Engineer to report on certain proposed expenditures.

94. That for the same purpose, in case the expenditure for any work or improvement the superintendence of which if authorized, would fall within the duty of the City Engineer, or some other Superior Officer of the Corporation, the Committee shall first procure a report from such Engineer, or other Officer, on the subject of the proposed expenditure, and how far the same is in his opinion necessary or expedient with reference to such of the general interests and requirements of the City as fall within the department of such Officer, with his reasons at large.

Reports recommending expenditure unaccompanied by report of proper Officer.

95. That no report of a Committee recommending an expenditure that should fall under the preceding section of this By-law shall be received by the Council, unaccompanied by report of proper Officer.

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amount against the report of the proper Officer, save in a case of emergency, to be fully shewn in the report of the Committee, and assented to by a vote of two-thirds of the members of the Council present.

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96. That no Resolution authorizing any expenditure for any of the purposes embraced in the ninety-fourth section of this By-law shall be entertained by the Council, without a report having been first obtained from the proper Officer.

Resolutions authorizing expenditure not to be entertained without the report of the proper Officer.

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97. That when any Committee recommends, or any member of the Council proposes to the Council, the making of any improvement, or the expending of any money, for or in respect of property of any kind, it shall be the duty of such Committee, or of the Members introducing the proposal, as the case may be, to ascertain, as far as practicable, whether such improvement passes through or along any property in which any Member of the Council or Officer of the Corporation is interested, or whether any such Member or Officer is interested in the property for or in respect of which the money is proposed to be expended, and to state to the Council how the facts are in those respects, so far as ascertainable. This, in the case of a Committee, shall be done in the report containing their recommendation, and except in a case of emergency, and then with the sanction of two-thirds of those present, no action shall be taken or permitted upon any such report or proposal, until information of the matters referred to in this section is laid before the Council.

Improvements in which members of the Council are interested.

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98. That with the view of preventing Members and Officers of the Corporation from being interested in Corporation contracts, it is hereby expressly declared that no Member of the Council, and no Officer of the Corporation, shall be interested in a private capacity, directly or indirectly, in any contract or agreement for labour, or for any materials, goods, wares, or merchandize furnished to the City, wherein the City is a party interested.

Members and Officers of the Corporation not to be interested in contracts.

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99. That any breach of the duty imposed by the preceding section of this By-law, on the part of any Officer of the Corporation, shall subject him to forfeiture of his office and immediate removal therefrom.

Officers of the Corporation to forfeit their office if interested in contracts.

Accounts or contracts in which Members or Officers of the Corporation are interested, not to be certified to or paid.

100. That no account or claim against the City, arising of or connected with any contract, agreement, purchase, sale, made contrary to section ninety-eight of this By-law, shall be certified by any Engineer or other Officer of the Corporation, or approved by any Committee, or the Chairman thereof, or paid by the Chamberlain.

Clause to be inserted in contracts that no Member or Officer of the Corporation has any interest therein.

101. That every contract shall contain a clause declaring that the contract is entered into on the part of the Corporation in full faith, that no Member of the Council and no Officer of the Corporation has any interest whatever therein, and further declaring that the persons contracting, and their representatives, are to forfeit all claims under the contract and for all work done, or materials, goods, wares or merchandize furnished under it, if it shall appear that any Member of the Council or Officer of the Corporation is at the time interested therein, or if any interest therein is afterwards given or agreed to be given to him, and providing that no payment is to be required without the declaration being delivered at the time of requiring the same hereinafter provided.

Accounts for work done and materials provided to the Corporation to be accompanied by a declaration that Members and Officers of the Corporation are not interested therein.

102. That every account for work done, or materials, goods, wares or merchandize, furnished for the Corporation shall be accompanied by a written or printed declaration signed by the person claiming the same, and under his signature, to the effect that no Member of the Council or Officer of the Corporation is in a private capacity, directly or indirectly interested in such account, or in any part of the work or materials mentioned therein, or of the money thereon claimed. If in consequence of the person, or one or more of the persons claiming, being absent, or for any sufficient cause, the required declaration cannot be obtained, the Standing Committee on Finance and Assessment may, in lieu thereof, receive such other evidence of the facts as may be so declared as may be satisfactory, and shall in such case report what they do, for the information of the Council. The Committee to whose department the account relates, or the Standing Committee on Finance and Assessment, may, if they see fit, require the declaration in all such cases, to be sworn to before the Mayor.

Declaration may be required to be under oath.

103. That no account or claim against the City, arising of or connected with any contract, agreement, purchase, sale, made contrary to section ninety-eight of this By-law, shall be certified by any Engineer or other Officer of the Corporation, or approved by any Committee, or the Chairman thereof, or paid by the Chamberlain.

104. That every contract shall contain a clause declaring that the contract is entered into on the part of the Corporation in full faith, that no Member of the Council and no Officer of the Corporation has any interest whatever therein, and further declaring that the persons contracting, and their representatives, are to forfeit all claims under the contract and for all work done, or materials, goods, wares or merchandize furnished under it, if it shall appear that any Member of the Council or Officer of the Corporation is at the time interested therein, or if any interest therein is afterwards given or agreed to be given to him, and providing that no payment is to be required without the declaration being delivered at the time of requiring the same hereinafter provided.

105. That every account for work done, or materials, goods, wares or merchandize, furnished for the Corporation shall be accompanied by a written or printed declaration signed by the person claiming the same, and under his signature, to the effect that no Member of the Council or Officer of the Corporation is in a private capacity, directly or indirectly interested in such account, or in any part of the work or materials mentioned therein, or of the money thereon claimed. If in consequence of the person, or one or more of the persons claiming, being absent, or for any sufficient cause, the required declaration cannot be obtained, the Standing Committee on Finance and Assessment may, in lieu thereof, receive such other evidence of the facts as may be so declared as may be satisfactory, and shall in such case report what they do, for the information of the Council. The Committee to whose department the account relates, or the Standing Committee on Finance and Assessment, may, if they see fit, require the declaration in all such cases, to be sworn to before the Mayor.

103. That no plank, stone, timber, or other materials belonging to the Corporation shall be delivered to or used by any person, nor shall any person (other than the City Engineer) take or use any plank, stone, timber, or other materials on account of the Corporation, unless he shall first make a requisition in writing to the said material so required, signifying particularly the kind, quality and quantity of the said material, and the work for which the same is required; and should the material so required be on hand or contracted for delivery, and the person applying therefor be entitled thereto for the work in question, it shall be the duty of the City Engineer or person in charge of the City Engineer's department, to deliver such material to such person, or give him an order therefor, as the case may be, and take his receipt therefor.

Materials belonging to the Corporation not to be delivered without a requisition.

City Engineer to deliver materials to persons entitled thereto and take a receipt.

104. That as to the watering of the streets, if a majority of the number and value of the rate-payers on any street, or on any part of a street, clearly defined between cross streets, desire that the watering thereof should be superintended by one of themselves, or by some other person without salary therefor, and in place of the City Engineer, or person in charge of the City Engineer's department, they may appoint a person accordingly, subject to the approval of the Board of Works, and on communicating the appointment to the Council, the said City Engineer, or person in charge of the City Engineer's department, shall be relieved from the duty so far as regards the locality in question.

Watering streets where rate-payers desire it should be superintended by themselves.

105. That no contractor or other person engaged on any work for the City, shall be paid the compensation allowed him (unless otherwise provided for) by his contract, or any part thereof, unless at the time of paying the same, he shall present to the Chamberlain a certificate from the City Engineer, or person in charge of the City Engineer's department, stating that he had examined, measured, and computed the work, and that the same was completed, or that the payment demanded was due on such work; and also stating what the work was on which such money was due.

Contractors to give a certificate of the work completed before receiving payment.

Accounts, how to
be certified.

106. That with the view of further carrying out the v. 110. 2
ous objects embraced in this By-law, every account before the Council,
being paid shall be certified, firstly by the City Engineer or
or other Superior Officer under whose superintendence the work was done or material provided, and secondly
by the Committee (if any,) under whose authority the contract or expenditure was made; this latter certificate
being given by, or by order of such Committee, by a majority thereof, and signed by the members or by the Chairman in their presence; and such certificate shall also refer in some distinct manner to the By-law or Resolution of the Council by or under which the expenditure was authorized.

Accounts not to
be paid without
certificate and
declaration.

107. That the Chamberlain shall pay no such account unless the same is given to him with the said two certificates and also with the declaration hereinbefore mentioned, or order of the Standing Committee on Finance and Assessment in lieu of such declaration, nor unless the same is duly authorized by the Council according to the provisions of this By-law; and when the payment is by cheque, the cheque shall mention the By-law or Resolution which authorizes the payment to be made.

Payment by
cheque.

Certificates to be
withheld if it is
believed any
Member or
Officer of the
Council is inter-
ested in the ac-
count.

108. That in case the Committee has reason to believe that any Member of the Council, or Officer of the Corporation is interested in any account presented for the approval of such Committee, it shall be the duty of such Committee to withhold a certificate, and to give the party interested and supposed to be interested in the account an opportunity of disproving the supposed interest; if they fail to do so to the satisfaction of such Committee, it shall be the duty of the Committee to report the matter forthwith to the Council.

Chamberlain to
provide forms.

109. That the Chamberlain, for the convenience of parties, shall provide printed forms for the necessary certificates and declaration, such forms being subject to the approval of the Standing Committee on Finance and Assessment.

110. That no money shall be paid to any Member of the Council, or to any Officer of the Corporation, as agent or attorney for any contractor, or in any manner on behalf of the superintendent contractor.

Moneys not to be paid to Members or Officers of the Corporation on behalf of contractors.

111. That no Member of the Council shall have power to direct or interfere with the performance of any work for the Corporation, and the Officer in charge shall be subject only to the Committee (while acting in that capacity, and not otherwise), to which the Council may in any case give authority that behalf.

Members of the Corporation not to interfere with the performance of contract work.

112. That all work and materials shall be done and provided by contract, and after tenders have been called for, and notices for this purpose put up at every Police Station for at least two weeks, besides advertising therefor in any other manner which the extent and importance of the work may render necessary. In case of an emergency rendering it necessary to dispense with this rule, such dispensing herewith shall require the sanction of a majority (being not less than four) of the members of the Committee having charge of the matter: and every such case is to be entered in their minutes at the time, and to be reported to the Council at its next meeting, with the reasons which rendered it necessary in such cases to dispense with this rule.

Works and materials to be given out by contract after tenders have been called for.

Cases of emergency.

113. That no contractor or other person found by the City Engineer, or person in charge of the Engineer's Department, or by any Committee of the Council, or declared by a Resolution of the Council, or ascertained by a judicial decision, to have been guilty of defrauding, or of attempting to defraud the City, shall again be employed in any capacity on behalf of or receive any contract from the City, without the express sanction of the Council. It shall be the duty of the various Officers of the Corporation to forthwith report all such frauds, or attempted frauds of which they become cognizant to their superiors, and for such superiors to report the same to the Committee to whose department the subject of the fraud belongs.

Persons guilty of fraud not to be again employed.

Officers of the Corporation to report frauds.

GENERAL CLAUSES.

Persons admitted within the bar.

114. That no persons, except Members and Officers of Council, shall be allowed to come within the bar during the sittings of the Council without the permission of Mayor or other Presiding Officer.

Suspending rules or orders of the Council.

115. That no standing rule or order of the Council shall be suspended, except by a vote of two-thirds of the members present.

The laws of Parliament to govern proceedings of Council or Committees in unprovided cases.

116. That in all unprovided cases in the proceedings of Council or in Committee, the Law of Parliament shall be followed, and in such cases the decision of the Mayor or other Presiding Officer shall be final, and acquiesced without debate.

Improper conduct of Officers of the Council.

117. That any Officer who shall refuse, or wilfully fail, to neglect to perform any duty enjoined upon him by By-law or Resolution of the Council, or who shall, in discharge of his official duty, be guilty of any fraud, extortion, oppression, favoritism, partiality, or wilful wrong or injustice, shall be subject to removal from office, and to fine in each case of not less than eight dollars nor more than fifty dollars.

By-laws to be deposited by the Clerk in his office safe.

118. That every By-law which has passed the Council shall, immediately after being signed by the Mayor and sealed with the seal of the Corporation, be deposited by the Clerk for security in the safe connected with his office.

Signing of cheques.

119. That all cheques for any sum of money whatever to be paid on account of the City, shall be signed by the Chamberlain and countersigned by the Mayor.

Minutes of the Council to be numbered.

120. That in order the more conveniently to carry out the provisions of this By-law, there shall be attached to each and every minute of the proceedings of the Council a progressive number in each year, and each document certified copy of a minute communicated to any Committee of the Council, as hereinbefore required, shall bear the number of the Council to which it refers.

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